

activities in the conduct of the business of the waste management industries and that no benefit be realized from noncompliance with Ohio's environmental laws.

This Court finds that Defendant A&L Salvage's actions at its landfill located at 11225 State Route 45, Lisbon, Columbiana County, Ohio were seriously deficient in meeting the standards stated above. Defendant A&L Salvage's violation of R.C. Chapters 3714 and 3704 were egregious, reckless, and offensive to human health and the environment. This Court finds that Defendant A&L Salvage exhibited a pattern of noncompliance and general disregard for Ohio's environmental laws. Based upon evidence submitted by the Plaintiff, this Court finds that Defendant A&L Salvage was in violation of R.C. Chapter 3714 a combined total of 5,564 days and in violation of R.C. Chapter 3704 a combined total of 1,174 days.

In accordance with applicable law regarding environmental civil penalties, including but not limited to *State ex rel. Brown v. Dayton Malleable* (October 12, 1979), Montgomery C.P., 13 ERC 2189, this Court further finds that significant penalties are warranted in order to address the harm/risk of harm to the environment, the economic benefit of Defendant A&L Salvage's refusal to comply with applicable laws and rules, the Defendant's recalcitrance and indifference in remaining in non-compliance and the extraordinary enforcement costs incurred by Ohio EPA and the Ohio Attorney General's Office. Significant penalties are also warranted to serve as a general deterrent to future irresponsible behavior by others involved in the operation of construction and demolition debris facilities.

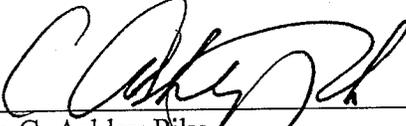
Based on the amended complaint, default judgment, evidence presented and for good cause shown it is hereby **ORDERED, ADJUDGED AND DECREED:**

- That within ten days of entry of this Order, Defendant A&L Salvage shall pay the State of Ohio \$10,632,679.78 to be paid in accordance with the following:

- Re-payment to the State of Ohio in the sum of \$594,961.57 for deposit into the account established by R.C. 3734.281 for the money that the State of Ohio expended to close the landfill over and above Defendant A&L Salvage's closure bond.
- Payment of Defendant A&L Salvage's statutorily owed disposal fees to the State of Ohio in the sum of \$1,087,418.21 for deposit into the account(s) established by R.C. Chapter 3714.07, 3714.071, and 3714.073 as appropriate.
- Payment of a tax of \$300.00 for creating a public nuisance at its landfill.
- Payment of the sum of \$50,000.00 to the Office of the Attorney General for its attorney fees and extraordinary enforcement costs.
- Payment of \$8,900,000.00 in civil penalties pursuant to R.C. 3714.11, R.C. 3734.13, and R.C. 3704.06 for continued violations of Ohio's construction and demolition debris, solid waste, and air pollution violations at its landfill.
- Further, this Court finds that, within twenty (20) days of entry of this Order, Defendant A&L Salvage must transfer and record a 99 year lease of all gas, oil, coal and/or other mineral rights on, at, or under any real property owned by Defendant A&L Salvage to the Ohio Environmental Protection Agency. If Defendant A&L Salvage fails to transfer said lease within twenty days of entry of this Order, all gas, oil, coal and/or other mineral rights on, at, or under any real property owned by Defendant A&L Salvage are forfeited, by recorded 99 year lease, to the Ohio Environmental Protection Agency and that the Ohio Environmental Protection Agency may subsequently transfer such lease as it sees fit. The Ohio Environmental Protection Agency may release this lease for any reason it so desires.

Nothing in this Order shall be construed to limit or replace the relief that was granted to the State of Ohio through the granting of the Default Judgment on June 7, 2011.

Court Costs to A+L Salvage.
IT IS SO ORDERED.



 Judge C. Ashley Pike
 Columbiana County Court of Common Pleas

Cc: All counsel/parties of record